

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT
1300 OAK STREET
KANSAS CITY, MISSOURI 64106**

DIVISION 1

**REX GABBERT, PRESIDING JUDGE
THOMAS H. NEWTON, JUDGE
ALOK AHUJA, JUDGE**

DIVISION 2

**KAREN KING MITCHELL, PRESIDING JUDGE
CYNTHIA MARTIN, JUDGE
GARY D. WITT, JUDGE**

DIVISION 3

**VICTOR C. HOWARD, PRESIDING JUDGE
LISA WHITE HARDWICK, JUDGE
EDWARD R. ARDINI, JR., JUDGE**

DIVISION 4

**MARK D. PFEIFFER, CHIEF JUDGE, PRESIDING
JAMES E. WELSH, JUDGE
ALOK AHUJA, JUDGE**

ORAL ARGUMENT DOCKET - SEPTEMBER, 2016

NOTICE TO COUNSEL

Enclosed is a copy of the Court's docket scheduling your case for argument. Please review this docket and the following information carefully. Please note the information below for each division:

DIVISION 1: THIS DIVISION WILL SIT ON SEPTEMBER 13TH, 2016 WITH DOCKET CALLS AT 9:00 A.M. AND 10:30 A.M.

DIVISION 2: THIS DIVISION WILL SIT ON SEPTEMBER 7TH AND 14TH, 2016 WITH DOCKET CALLS AT 9:00 AND 10:30 A.M.

DIVISION 3: THIS DIVISION WILL SIT ON SEPTEMBER 28TH, 2016, WITH DOCKET CALLS AT 9:00 AND 10:30 A.M.

DIVISION 4: THIS DIVISION WILL SIT ON SEPTEMBER 8TH, 2016, WITH DOCKET CALLS AT 9:00 AND 10:30 A.M.

If you are not present for the docket call, your case will be submitted on the briefs. If you do not intend to orally argue a docketed case (whether the appellant or respondent), please notify this office immediately of that decision. Any respondent who has not filed a brief will not be permitted oral argument.

PLEASE NOTE THE FOLLOWING CHANGE IN ARGUMENT TIMES:

In most cases, counsel will be allowed a maximum of 10 minutes per side with an additional three minutes for rebuttal by the appellant. In cases designated as “expanded oral argument” preceded and followed by three asterisks, argument will be expanded to 15 minutes per side with an additional five minutes allowed for rebuttal by the appellant.

The Court may call upon counsel to announce the amount of time they intend to use when the docket is called. Please keep in mind that the judges on the panel will be familiar with the briefs. The Court views oral argument as an opportunity to focus on the points of difficult analysis rather than a forum to verbally rehash the entire brief. Therefore, the Court expects counsel to tailor their requests for time accordingly. Counsel should also remember that they are not required to use the total time reserved.

Cross appeals shall be treated as one case, and in such cases the plaintiff in the trial court shall be entitled to open and close the argument. **If there are multiple appellants or respondents, the parties will ordinarily be expected to divide among themselves the time allowed for an appellant or respondent.**

Original exhibits shall be deposited with the court on or before the date on which the parties file their opening briefs unless the court grants permission to submit them at a later time. Any exhibits not timely deposited may be considered by the court as immaterial to the issues on appeal. Rule 81.16. Unless deposited exhibits are removed from the custody of the clerk within 30 days after the case is finally decided, upon prior notice to the parties, they may be destroyed or disposed of by the clerk. Rule 81.16(d).

Opinions are issued each Tuesday morning. Motions for rehearing and/or transfer to the Supreme Court must be filed within fifteen (15) days after the opinion has been issued.

If you have any questions concerning the docket, please contact this office at 816-889-3600. If you have special needs addressed by the Americans with Disabilities Act, please notify this office at least one week prior to the date of oral argument.

Terence G. Lord, Clerk

DIVISION 2

KAREN KING MITCHELL, PRESIDING JUDGE

CYNTHIA MARTIN, JUDGE

GARY D. WITT, JUDGE

SEPTEMBER, 2016

<p>IMPORTANT NOTE</p>

**THIS DIVISION WILL SIT ON SEPTEMBER 7th and 14th, 2016 WITH
DOCKET CALLS WILL BE AT 9:00 AND 10:30 A.M.**


**PLEASE NOTE THE TIME OF YOUR ARGUMENT. THIS INFORMATION IS
LOCATED AT THE TOP OF THE PAGE ON WHICH YOUR CASE IS LISTED.**


MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS
Oral Argument Docket

7-Sep-2016 09:00

DIVISION 2

Western District Ct of Appeals

1. WD79349

PUBLIC SERVICE COMMISSION

**IN THE MATTER OF THE VERIFIED APPLICATION AND PETITION OF LACLEDE GAS COMPANY
TO CHANGE ITS INFRASTRUCTURE SYSTEM REPLACEMENT SURCHARGE IN ITS LACLEDE
GAS SERVICE TERRITORY, RESPONDENT; MISSOURI GAS ENERGY, RESPONDENT; USW
LOCAL 11-6, RESPONDENT; MISSOURI PUBLIC SERVICE COMMISSION, RESPONDENT**

vs

OFFICE OF PUBLIC COUNSEL, APPELLANT.

OFFICE OF PUBLIC COUNSEL, Appellant
MARC DOUGLAS POSTON

USW LOCAL 11-6, Respondent
SHERRIE A. HALL

EMILY REBECCA PEREZ

MISSOURI GAS ENERGY, Respondent
RICK EDWARD ZUCKER
LARRY WAYNE DORITY

LACLEDE GAS COMPANY, Respondent
RICK EDWARD ZUCKER
LARRY WAYNE DORITY

PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI, Respondent
JENNIFER LEIGH HEINTZ

2. WD79114

JACKSON COUNTY CIRCUIT COURT

DEROUGHROUS LARRY, RESPONDENT,

vs

TIM LITTLE, ET AL., APPELLANTS.

SPENCER LEASING, LLC, Appellant
WILLIAM T BERNARD

TIM LITTLE, Appellant
WILLIAM T BERNARD

DEROUGHROUS LARRY, Respondent
KEVIN DANIEL STANLEY

MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS
Oral Argument Docket

7-Sep-2016 10:30

DIVISION 2

Western District Ct of Appeals

1. **WD78713**

CLAY COUNTY CIRCUIT COURT

STATE OF MISSOURI, RESPONDENT,
vs
WESLEY WILLIAM OSBORN, APPELLANT.

WESLEY WILLIAM OSBORN, Appellant
PATRICK W PETERS
CLAYTON EVAN GILLETTE
STATE OF MISSOURI, Respondent
RACHEL SARA FLASTER

2. **WD79134**

COLE COUNTY CIRCUIT COURT

FREDERICK SPENCER, APPELLANT
vs
GEORGE LOMBARDI, ET AL., RESPONDENTS.

FREDERICK SPENCER, Appellant Acting Pro Se
GEORGE A. LOMBARDI, Respondent
EMILY ANN DODGE

MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS
Oral Argument Docket

14-Sep-2016

09:00

DIVISION 2

Western District Ct of Appeals

1. WD79449

LABOR AND INDUSTRIAL RELATIONS

ULYSSES WHITE (DECEASED), PATRICIA WHITE, APPELLANT,
vs

CONAGRA PACKAGED FOODS, LLC, RESPONDENT.

PATRICIA WHITE, Appellant

TODD CHRISTOPHER WERTS

CONAGRA PACKAGED FOODS, LLC, Respondent

DOUGLAS MARK GREENWALD

THOMAS J WALSH

2. WD79198

CLAY COUNTY CIRCUIT COURT

AMY LEIGH SAUVAIN, ET AL., APPELLANTS

vs

DAVID H BOWMAN, JR., DEFENDANT; ACCEPTANCE INDEMNITY INSURANCE COMPANY,
RESPONDENT.

AMY LEIGH SAUVAIN, Appellant

MATTHEW BLAKE HEATH

MICHAEL W BLANTON

BONNIE HUGHES, Appellant

MATTHEW BLAKE HEATH

MICHAEL W BLANTON

ERICKA J SAUVAIN, Appellant

MATTHEW BLAKE HEATH

MICHAEL W BLANTON

DAVID H BOWMAN JR, Defendant

ACCEPTANCE INDEMNITY INSURANCE COMPANY, Respondent

SUSAN FORD ROBERTSON

MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS
Oral Argument Docket

14-Sep-2016 10:30

DIVISION 2

Western District Ct of Appeals

1. WD79405

LABOR AND INDUSTRIAL RELATIONS

JEFFERSON CITY COUNTRY CLUB, APPELLANT,
vs
LYDIA PACE AND TREASURER OF THE STATE OF MISSOURI, CUSTODIAN OF THE SECOND
INJURY FUND, RESPONDENTS.

MISSOURI CHAMBER OF COMMERCE GROUP, Appellant

MARY ANNE LINDSEY

JEFFERSON CITY COUNTRY CLUB, Appellant

MARY ANNE LINDSEY

LYDIA PACE, Respondent

TRUMAN EVERETT ALLEN

BENJAMIN BRADLEY NELSON

TREASURER OF THE STATE OF MISSOURI-CUSTODIAN 2ND INJURY FUND, Respondent

COLETTE ELAINE NEUNER

ROBERT JOHN ESTEP

ERIN COURTNEY SMITH

2. WD79095

COLE COUNTY CIRCUIT COURT

STATE OF MISSOURI, RESPONDENT,
vs
JEFFREY C MCCARTY, APPELLANT.

JEFFREY C MCCARTY, Appellant

DANIEL E. HUNT

STATE OF MISSOURI, Respondent

MARK ANTHONY RICHARDSON
